

REMARKS

Notice of Non-Responsive Amendment and Elections/Restrictions

The Examiner has indicated that the reply filed on October 7, 2008 is not fully responsive because newly submitted claims 28-35 are drawn to a patentably distinct species from previously pending claims 1-27.

Claims 28-35 were withdrawn from consideration by the Examiner as being directed to a non-elected invention. This is true although no restriction requirement or election has previously been made, and depends on a “constructive election” by original presentation of claims 1-27.

Claim 10, previously canceled, is reinstated (as amended) as new claim 36, in accordance with MPEP § 1.121.

The restriction requirement is hereby traversed, and it is respectfully requested that the claims 28-35 be considered. Claims 1-27 and claims 28-35 are not distinct species, but rather relate to different aspects of the same species. In other words, both claim sets relate to limiting gaming wagers that a patron may make. Both claim sets contain independent claims relating to the same embodiments.

For example, claim 1 and new claim 28 both relate to *a system for monitoring player financial transactions in a gaming environment*. Both claims 1 and 28 recite “a plurality of gaming devices; and a financial transaction host, [the/said] financial transaction host in communication with each of said plurality of gaming devices via a communication network, said financial transaction host including memory for storing at least one data file corresponding to a player and identifiable with a player identification, said at least one data file including financial information including at least monetary amounts associated with the player for use in playing one or more of said plurality of gaming devices.”

Claim 10 and claim 31 both relate to *a method of monitoring player financial activities in a gaming environment*. Both claims 10 and 31 recite “generating a financial account corresponding to a player, said account represented by at least one data file, said at least one data file adapted to contain financial information; storing financial information regarding monetary amounts belonging to a player which may be used to play said one or more games,” and “automatically creating a data file for the player at a financial transaction host if there is no data

file associated with the player, wherein the data file is matched with the player using a unique identifier associated with a remote financial institution.”

As mentioned above, claim 10, previously canceled, is reinstated (as amended) as new claim 36, in accordance with MPEP § 1.121. This claimed method continues to covers loss limitations as claim 10 did previously, and also covers win limitations.

To the extent any additional search burden is created, the filing of the Request for Continued Examination on October 7, 2008 is submitted to address this issue.

CONCLUSION

Accordingly, it is believed that this application is now in condition for allowance and an early indication of its allowance is solicited. Should the Examiner believe that a telephone conference would expedite the prosecution of this application; the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
Weaver Austin Villeneuve & Sampson LLP

/Peter Mikhail/

Peter G. Mikhail
Reg. No. 46,930

P.O. Box 70250
Oakland, CA 94612-0250
510-663-1100